

Application No. 10/711,653
Technology Center 2824
Amendment dated November 3, 2006
Reply to Office Action dated October 6, 2006

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REMARKS

In the Office Action, the Examiner required that Applicants make an election under 35 USC §121 between claims 1-17 and 28-43 (Group I) and claims 18-27 (Group II). Applicants hereby elect to prosecute claims 1-17 and 28-43 (Group I) on the merits. In doing so, Applicants respectfully traverse the restriction requirement and request reconsideration in view of the following comments.

The stated basis for requiring restriction between Groups I and II was that their subject matters are "related as subcombinations disclosed as usable together in a single combination" under MPEP §806.05(d). The Examiner explained

The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately useable. In the instant case, subcombination of invention I does not require the step of means of adjusting an input voltage delivered by a circuit board to DIMMs and invention II has separate utility such as a delivering an input voltage to a memory subsystem.

However, the subcombination of invention I does require the step/means of

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adjusting an input voltage delivered by a circuit board to DIMMs (see dependent claims 14, 16, 17, and 36-41), and the "separate utility" of "delivering an input voltage to a memory subsystem" cited for the subcombination of invention II is not separate, because each of independent claims 1 and 28 also recite delivering an input voltage to a memory subsystem (claim 1 recites "means for supplying an input voltage to the memory subsystem [associated with a motherboard of a computer]"; claim 28 recites "delivering an input voltage to the memory subsystem [of a computer]"). Therefore, Applicants respectfully believe that a proper basis for restriction has not been established between Groups I and II.

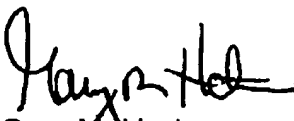
Furthermore, Applicants respectfully believe that a proper basis for restriction cannot be established between Groups I and II, because the subcombinations overlap in scope and have the same utility - "increasing" (claims 1) or "providing" (claims 18 and 28) power to a "memory array" (claims 1 and 28) or "array of DIMMs" (claims 17, 18, and 41) of a memory subsystem associated with a motherboard of a compute, including at levels "higher than" (claim 1) or "in excess of" (claims 23 and 29) that provided to the memory subsystem by the motherboard.

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In view of the above, Applicants respectfully request withdrawal of the restriction requirement and examination of claims 1-43 together.

Should the Examiner have any questions with respect to any matter now of record, Applicant's representative may be reached at (219) 462-4999.

Respectfully submitted,

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